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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/790,083	03/02/2004	Kazuo Otsuka	4578-0108P	2533
2292	7590 12/12/2005		EXAMINER	
BIRCH STEWART KOLASCH & BIRCH			KEANEY, ELIZABETH MARIE	
PO BOX 74 FALLS CH	7 URCH, VA 22040-074	7	ART UNIT	PAPER NUMBER
	,		2882	
			DATE MAILED: 12/12/200:	5

Please find below and/or attached an Office communication concerning this application or proceeding.

• • • • • • • • • • • • • • • • • • •			11
	Application No.	Applicant(s)	
	10/790,083	OTSUKA ET AL.	
Office Action Summary	Examiner	Art Unit	
:	Elizabeth Keaney	2882	
The MAILING DATE of this communication Period for Reply	appears on the cover sheet wi	th the correspondence address	
A SHORTENED STATUTORY PERIOD FOR RE WHICHEVER IS LONGER, FROM THE MAILING - Extensions of time may be available under the provisions of 37 CFR after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory per - Failure to reply within the set or extended period for reply will, by state Any reply received by the Office later than three months after the material patent term adjustment. See 37 CFR 1.704(b).	B DATE OF THIS COMMUNION (R. 1.136(a). In no event, however, may a restricted will apply and will expire SIX (6) MON atute, cause the application to become AB	CATION. eply be timely filed ITHS from the mailing date of this communic BANDONED (35 U.S.C. § 133).	
Status			
1) Responsive to communication(s) filed on	•		
	his action is non-final.		
3) Since this application is in condition for allo	wance except for formal matt	ers, prosecution as to the merit	s is
closed in accordance with the practice unde	er <i>Ex parte Quayle</i> , 1935 C.D	. 11, 453 O.G. 213.	
Disposition of Claims			
4)⊠ Claim(s) <u>1-6</u> is/are pending in the applicatio	on.		
4a) Of the above claim(s) is/are without			
5) Claim(s) is/are allowed.			
6) Claim(s) is/are rejected.			
7) Claim(s) is/are objected to.			
8)⊠ Claim(s) <u>1-6</u> are subject to restriction and/o	r election requirement.		
Application Papers			
9) The specification is objected to by the Exam	iner.		
10) ☐ The drawing(s) filed on is/are: a) ☐ a	accepted or b) objected to	by the Examiner.	
Applicant may not request that any objection to t		-	
Replacement drawing sheet(s) including the corr			21(d).
11) The oath or declaration is objected to by the			
Priority under 35 U.S.C. § 119			
12) Acknowledgment is made of a claim for fore	ign priority under 35 U.S.C. §	119(a)-(d) or (f).	
a) ☐ All b) ☐ Some * c) ☐ None of:			
1. Certified copies of the priority docume	ents have been received.		
2. Certified copies of the priority docume	ents have been received in A	pplication No	
Copies of the certified copies of the p	riority documents have been	received in this National Stage	
application from the International Bure	eau (PCT Rule 17.2(a)).		
* See the attached detailed Office action for a l	ist of the certified copies not	received.	
· :			
: :			
Attachment(s)			
1) Notice of References Cited (PTO-892)		ummary (PTO-413)	
2) Notice of Draftsperson's Patent Drawing Review (PTO-948))/Mail Date formal Patent Application (PTO-152)	
 Information Disclosure Statement(s) (PTO-1449 or PTO/SB/ Paper No(s)/Mail Date 	6) Other:		

DETAILED ACTION

Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:The inventions are distinct, each from the other because of the following reasons:

- Claims 1-4, drawn to a glass bulb for use in a CRT, classified in class 313, subclass 477R.
- II. Claims 5-6, drawn to a method of manufacturing a glass bulb for use in a CRT, classified in class 445, subclass 45.

Inventions Group I and Group II are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case the glass bulb can be manufactured using a method that determines the size of the contaminant using a three-dimensional coordinate system.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group II, restriction for examination purposes as indicated is proper.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Elizabeth Keaney whose telephone number is (571)272-2489. The examiner can normally be reached on Monday, Tuesday, Thursday, Friday 7:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ed Glick can be reached on (571)272-2490. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Application/Control Number: 10/790,083

Art Unit: 2882

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Elizabeth Keaney

Page 4

Examiner Art Unit 2882

SUPERVISORY PATENT EXAMINER